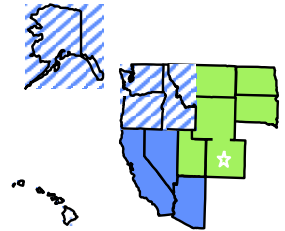




US Army Environmental Center Western Regional Environmental Office REGION 10 – NOVEMBER 2003 **WESTERN REGION REVIEW**



The WESTERN REGION REVIEW provides current information on significant regulatory & legislative developments, as well as related information affecting US Army activities & operations in the Federal Region 10 area: Alaska, Idaho, Oregon and Washington. We appreciate your feedback. Please contact the Western Regional Environmental Office, U.S. Custom House, 721 19th Street, Room 427, Denver, CO 80202-2500; phone (303) 844-0954, or fax (303) 844-0951.

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FEDERAL AGENCY NEWS & REGULATORY DEVELOPMENTS



ENVIRONMENTAL PROTECTION AGENCY (EPA) INFORMATION

AIR INFORMATION:

FINAL RULE – PSD AND NSR EXCLUSION REVISIONS – On 27 October 2003 (68 FR 61247), EPA finalized revisions to the regulations governing the New Source Review (NSR) programs mandated by parts C and D of title I of the Clean Air Act. The revisions incorporate comments from the proposed rule for "Prevention of Significant Deterioration (PSD) and Non-attainment New Source Review (NSR): Routine Maintenance, Repair and Replacement." These changes provide a category of equipment replacement activities that is not subject to Major NSR requirements under the routine maintenance, repair and replacement exclusion. The rule will be effective 26 December 2003. For further information, contact Dave Svendsgaard, EPA at (919) 541-2380, or e-mail: svendsgaard.dave@epa.gov

FINAL RULE – REQUIREMENTS FOR SOLID WASTE INCINERATORS CONSTRUCTED BEFORE 30 NOVEMBER 1999 – On 3 October 2003 (68 FR 57517), EPA promulgated a Federal plan to implement emission guidelines for existing commercial and industrial solid waste incineration (CISWI) units located in states without effective state plans required by Sections 111 and 129 of the Clean Air Act. This Federal plan is an interim action because on the effective date of an approved state plan, the Federal plan will no longer apply to CISWI units covered by the state plan. This rule was effective 3 November 2003. For further information, contact David Painter, EPA at (919) 541-5515, or e-mail: painter.david@epa.gov.

FINAL RULE – NESHAP FOR SITE REMEDIATION – On 8 October 2003 (68 FR 58171), EPA promulgated national emission standards for hazardous air pollutants (NESHAP) from site remediation. The rule applies to certain types of site remediation activities that are conducted at a facility where non-remediation sources are a major source of HAP emissions. Site remediation already regulated under CERCLA or RCRA is not subject to the rule. Site remediation subject to the rule is required to control emissions of organic HAP by meeting emissions limitations and work practice standards reflecting the application of maximum achievable control technology. The NESHAP was effective 8 October 2003. For further information, contact Greg Nizich, EPA at (919) 541-3078, or e-mail: nizich.greg@epa.gov.

FINAL RULE – STANDARDS OF PERFORMANCE FOR ORGANIC LIQUID STORAGE VESSELS – On 15 October 2003 (68 FR 59328), EPA amended the regulations addressing volatile organic liquid storage vessels (including petroleum liquid storage) for which construction, reconstruction, or modification commenced after 23 July 1984, to exempt certain storage vessels by capacity and vapor pressure, exempt process tanks, and add a definition for process tanks. Changes include reduction in the regulated storage tank size from 40,000 gallons to 19815 gallons, and exclusion of tanks storing materials of low volatility. Underground tanks (above the size threshold) are covered by this regulation unless the total volume of petroleum liquids added to and taken from the tank annually does not exceed twice the volume of the tank. The amendments were effective 15 October 2003. For further information, contact Mark Morris, EPA at (919) 541-5416, or e-mail: morris.mark@epa.gov.

PROPOSED RULE – CONTROL OF AIR POLLUTION FROM AIRCRAFT AND AIRCRAFT ENGINES –

On 30 September 2003 (68 FR 56226), EPA proposed to amend existing regulations governing the exhaust emissions from new commercial aircraft gas turbine engines. EPA proposed new emission standards for oxides of nitrogen (NO_x) for newly certified commercial aircraft gas turbine engines with rated thrust greater than 26.7 kilonewtons. This action proposes to adopt standards equivalent to the latest (effective in 2004) NO_x standards of the United Nations International Civil Aviation Organization (ICAO) and bring the United States emission standards into alignment with the internationally adopted standards. In addition, EPA also proposed to amend the test procedures for gaseous exhaust emissions to correspond to recent amendments to the ICAO test procedures for these emissions. Comments are due by 15 December 2003. For further information, contact Bryan Manning, EPA at (734) 214-4832, or e-mail: manning.bryan@epa.gov.

PROPOSED RULE – TRANSPORTATION CONFORMITY AMENDMENTS FOR OZONE AND PM_{2.5} –

On 5 November 2003 (68 FR 62689), EPA proposed to amend the transportation conformity rule to include criteria and procedures for the new 8-hour ozone and fine particulate matter (PM_{2.5}) national ambient air quality standards. Transportation conformity is required under Clean Air Act section 176(c) to ensure that federally supported highway and transit project activities are consistent with State Implementation Plans. The proposal provides guidance for when conformity will first apply in areas that are designated nonattainment for the 8-hour ozone and PM_{2.5} standards. Comments must be received by 22 December 2003. For further information, contact Meg Patulski, EPA at (734) 214-4842, or e-mail: patulski.meg@epa.gov.

PROPOSED RULE – UPDATE OF CONTINUOUS INSTRUMENTAL TEST METHODS – On 10 October 2003 (68 FR 58837), EPA proposed to amend five instrumental test methods that are used to measure air pollutant emissions from stationary sources. The intended effect of this rule is to harmonize, simplify, and update the test methods. The methods were originally developed for specific industry applications, but have since been adapted to general testing applications. These revisions would remove inconsistencies in equipment and performance specifications so each method would be similar in these respects and have expanded applicability. EPA also proposed to add helpful calculation procedures, quality assurance recommendations, and provisions for sampling at low concentrations. Comments are due by 9 December 2003. For further information, contact Foston Curtis, EPA at (919) 541-1063, or e-mail: curtis.foston@epa.gov.

WASTE INFORMATION:

PROPOSED RULE – REVISIONS TO DEFINITION OF SOLID WASTE – On 28 October 2003 (68 FR 61557), EPA proposed revisions to the definition of solid waste that identify certain recyclable hazardous secondary materials as not discarded, and thus not subject to regulation as wastes under Subtitle C of the Resource Conservation and Recovery Act (RCRA). The proposed rule would also establish specific regulatory criteria for determining whether or not hazardous secondary materials are recycled legitimately. Comments are due by 26 January 2004. For further information, contact Dave Fagan, EPA at (703) 308-0603, or e-mail: fagan.david@epa.gov.

NOTICE OF AVAILABILITY – GUIDANCE FOR FACILITIES SUBJECT TO SUBTITLE C OF RCRA –

On 6 October 2003 (68 FR 57691), EPA announced the availability of the final "Results-Based Approaches and Tailored Oversight Guidance for Facilities Subject to Corrective Action Under Subtitle C of the Resource Conservation and Recovery Act." This guidance is designed to provide EPA Regions, states, the regulated community, members of the public, and other stakeholders with a better understanding of EPA's general results-based strategy for RCRA Corrective Action. This document provides guidance on how EPA generally intends to exercise its discretion in implementing its statutory authorities and regulations. For further information, contact Karen Tomimatsu, EPA at (703) 605-0698, or link: <http://www.epa.gov/correctiveaction>.



GENERAL INFORMATION

PROPOSED RULE – DOD MUNITIONS RESPONSE SITE PRIORITIZATION PROTOCOL – On 22 August 2003 (68 FR 50899), DoD proposed a rule that establishes the Munitions Response Site Prioritization Protocol. The purpose of the Protocol is to assign a relative priority for munitions responses to each location in the inventory of munitions response sites known or suspected of containing unexploded ordnance, discarded military munitions, or munitions constituents. The Protocol evaluates the following potential explosive safety and environmental hazards: 1) explosive hazards posed by unexploded ordnance and discarded military munitions; 2) hazards associated with the effects of chemical warfare materiel; and 3) chronic health and environmental hazards posed by munitions constituents or other chemical constituents. The Protocol has three hazard evaluation modules, each of which is specific to one type of hazard. Comments are due by 20 November 2003. For further information, contact the Office of the Deputy Under Secretary of Defense at (703) 695-6107.

GAO REPORT – DOD STOCKPILE DESTRUCTION PROGRAM - GAO has published testimony to a subcommittee of the House Armed Services Committee reviewing the management of DoD's chemical stockpile destruction program. GAO credits the program with improving emergency preparedness in communities near the sites. Generally however, GAO criticizes the program's management structure as too complex with unclear lines of authority, and indicates that the chemical demilitarization effort will not meet scheduled milestones. For further information, contact Henry Hinton, GAO at (202) 512-4300, or link: <http://www.gao.gov/new.items/d04221t.pdf>.

GAO REPORT – INTERAGENCY MANAGEMENT FOR ENDANGERED SPECIES AFFECTING TRAINING RANGES - GAO has released a report addressing a need for increased interagency coordination in regional management of endangered species affecting military training ranges. GAO indicates that federal agencies have made little progress in implementing various agreements for cooperative management in this area and notes that "federal agencies cannot easily share information - such as best practices and land management plans - because there is no centralized source for this information." GAO recommended that the Secretaries of Defense, the Interior, and Agriculture implement an interagency strategy, a comprehensive training program, and a centralized data source for cooperative management efforts. DoD generally concurred with GAO and recommended modeling the coordination effort after the existing Interagency Military Land Use Coordination Committee. For further information, contact Barry Holman, GAO at (202) 512-8412, or link: <http://www.gao.gov/new.items/d03976.pdf>.

NOTICE – OSHA EXPOSURE LIMITS FOR CHEMICAL WARFARE AGENTS – On 17 September 2003 (68 FR 54460), the Centers for Disease Control (CDC) finalized their recommended airborne exposure limits for the chemical warfare nerve agents GA (tabun), GB (sarin), and VX to protect workers and the public during destruction of chemical agent stockpiles. CDC has proposed values for: 1) WPL (worker population limit), expressed as an 8-hour time-weighted average; 2) GPL (general population limit), based on continuous exposure; 3) STEL (short term excursion limit), for worker exposure not longer than 15 minutes; and 4) IDLH (immediately dangerous to life or health). Airborne exposure limits for these agents were re-evaluated by using a conventional risk assessment methodology for developing airborne exposure limits described by EPA. This methodology is considered conservative; however, the calculated exposure limits are not numerically precise and do not define precise thresholds of potential human toxicity. CDC's recommended WPL and GPL values are lower by as much as ten-fold from previous values recommended in 1988. An effective date of 1 January 2005 has been set to allow DoD to make program adjustments and changes to environmental permits. For further information, contact Dr. Paul Joe, CDC, 4770 Buford Highway, M/S F-16, Atlanta, GA 30341.

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UPCOMING CONFERENCES, SYMPOSIUMS, AND TRAINING ANNOUNCEMENTS

EMERGENCY PREPAREDNESS AND PREVENTION CONFERENCE

16-19 November 2003 – Norfolk, Virginia

The theme of this EPA conference is "Stay the Course," and will emphasize the importance of continued diligence and focus on emergency planning and preparedness efforts. The conference will include workshops, general sessions, networking opportunities, and an exhibit hall. For more information or to register, link: <http://www.2003conference.org>.

NREP/INSTEP ANNUAL TECHNICAL CONFERENCE

17-21 November 2003 – Orlando, Florida

The National Registry of Environmental Professionals and the International Society of Technical and Environmental Professionals are co-sponsoring this conference. The agenda includes certification preparatory workshops, technical papers, and special seminars for updating professional skills. For more information or to register, link: <http://www.nrep.org/conference/conference2.html>.

McCOY RCRA SEMINAR

17-21 November 2003 – Las Vegas, Nevada

9-13 February 2004 – Phoenix, Arizona

21-25 June – Portland, Oregon

McCoy and Associates is offering this RCRA training with five sessions at each seminar: 1) RCRA Fundamentals; 2) Critical Generator Issues; 3) Advanced RCRA Topics I; 4) Advanced RCRA Topics II and Land Disposal Restrictions I; and 5) Land Disposal Restrictions II and RCRA Rules Under Development. The seminar is designed for hazardous waste generators, environmental managers, compliance specialists, environmental consultants, and environmental attorneys. For more information or to register, call (303) 526-2674, or link: <http://www.mccoyseminars.com>.

EMERGENCY SERVICES SYMPOSIUM

17-21 November 2003 – Colorado Springs, Colorado

The Air Force Space Command is offering this symposium to federal and DoD managers with an assigned mission in emergency services, regional, state and local emergency management leaders, industry executives with products that support emergency services, and trainers in emergency services. The symposium will feature workshops, exhibits, and formal training sessions from DoD, Air Force, and federal agencies responsible for emergency services. For more information or to register, link: http://www.cheyennemeetings.com/AFSPC_Emergency_Services_Symposium.

LABS21 HIGH PERFORMANCE, LOW-ENERGY DESIGN COURSE

19 November 2003 – San Diego, California

20 November 2003 – Los Angeles, California

EPA and the US Department of Energy, Federal Energy Management Program, are presenting this course, which will be taught by experienced lab designers, energy managers, and facilities professionals. They will introduce new strategies to improve the energy efficiency of laboratories. Course topics include: The Architecture of High Performance Labs, The Energy Efficient Design System, Air Supply and Distribution Systems, Case Studies, and Resources and Tools. For more information or to register, link: <http://www.epa.gov/labs21century/training/designcourse>.

CLEANUP SITE CLOSURE: REGULATORY & ADMINISTRATIVE ACTIVITIES**2-3 December 2003 – Richland, Washington****17-18 February 2004 – Idaho Falls, Idaho**

RTI is offering this course for personnel who are involved in the planning and implementation of closure and post-closure activities at hazardous and mixed waste management facilities or environmental restoration projects. The course will provide an overview of RCRA requirements for landfills, storage pads, and contaminated areas. It will also cover effective ways to plan for the integration of closure among units regulated under different programs. For more information or to register, call (803) 652-8830, or link <http://www.rtii.org>.

PARTNERS IN ENVIRONMENTAL TECHNOLOGY SYMPOSIUM**2-4 December 2003 – Washington, DC**

The Strategic Environmental Research and Development Program and the Environmental Security Certification Program are hosting this symposium and workshop with the theme: "Meeting DoD's Environmental Challenges." A major focus will be sustainability of military testing and training ranges. The symposium will offer 12 technical sessions that highlight proven technologies, as well as technologies needed to address emerging environmental challenges. For more information, link: <http://www.serdp.org/news/ESA4c.pdf>.

"AN ORGANIZATIONAL GUIDE TO POLLUTION PREVENTION" WORKSHOP**9-11 December 2003 – Philadelphia, Pennsylvania**

EPA is hosting this workshop to help organizations get P2 programs started or to reevaluate existing P2 programs. The guide presents an alternative method for working P2 projects and plans, and four approaches to implementing P2 and environmental planning within an organization. There is no registration fee for the workshop. For further information, visit the workshop website at www.epa.gov/ttnrmrl/p2workshop.htm.

APPLIED CLEAN AIR ACT**16-18 December 2003 – Orlando, Florida**

RTI is offering this course for environmental professionals who are responsible for implementation and monitoring of their facilities' compliance with the requirements of the Clean Air Act (CAA). The course provides detailed information on all facets of the CAA and the 1990 Amendments. It covers the fundamentals of air pollution such as abatement equipment, monitoring, and air dispersion models. For more information or to register, call (803) 652-8830, or link <http://www.rtii.org>.

ENVIRONMENTAL LAWS AND REGULATIONS**18-20 December 2003 – Richland, Washington**

RTI is offering this course for personnel new to the field of waste management environmental compliance or environmental restoration, as well as persons who need an update on recent changes in environmental laws and regulations. The course will address high level waste storage in tanks and treatment for disposal; low level waste disposal; mixed waste treatment, storage and disposal; environmental compliance associated with operational or restart issues; decommissioning activities; and materials transportation. For more information or to register, call (803) 652-8830, or link <http://www.rtii.org>.

CONFERENCE ON SUSTAINABLE RANGE MANAGEMENT**5-8 January 2004 – New Orleans, Louisiana**

Battelle is organizing this conference to provide a venue for exchange of information benefiting all stakeholders involved with range management issues. The technical programs will include urban growth and encroachment issues, management of airspace, noise abatement issues, air quality management, threatened and endangered species habitat protection, military munitions response program, and cleanup of munitions and explosives of concern. For more information, link: <http://www.battelle.org/rangecon>.

ADVANCED RISK COMMUNICATION WORKSHOP**13-15 January 2004 – San Diego, California****2-5 August 2004 – Salt Lake City, Utah**

The Army Center for Health Promotion and Preventative Medicine is presenting this workshop to instruct participants how to identify, build, maintain, and utilize strategic partnerships and plans to support an organization's mission. The workshop builds on the "Introductory Health Risk Communication Workshop" listed below (a pre-requisite for this course) and will provide participants with hands-on experience in applying the steps of the risk communication process, on-camera media practice, and seminar-style discussions of "hot" issues impacting military health and readiness. For more information or to register, call (410) 436-3515, or link <http://chppm-www.apgea.army.mil/risk>.

2004 NORTH AMERICAN ENVIRONMENTAL FIELD CONFERENCE**14-16 January 2004 – Tampa, Florida**

This conference will feature 40 papers discussing cutting-edge field-based technology for environmental site characterization and monitoring. An educational exposition will include state-of-the-science environmental field equipment and services. For more information or to register, link: <http://www.envirofieldconference.com>.

CERCLA ORIENTATION AND REMEDIAL INVESTIGATION/FEASIBILITY STUDY**27-27 January 2004 – Richland, Washington**

The Resource Training Institute (RTI) is offering this course for personnel that have little or no experience in the basic background and implementation of CERCLA. Participants are provided with an in-depth review of the Remedial Investigation/Feasibility Study (RI/FS) process as it applies to environmental restoration programs. Following an overview of the CERCLA Process, the course focuses on the RI/FS process and addresses site characterization, risk assessment, and remedy selection issues. Attention is also given to public involvement in the cleanup process. For more information or to register, call (803) 652-8830, or link <http://www.rtii.org>.

ENVIRONMENTAL IMPACTS OF PRESERVATIVE TREATED WOOD**8-11 February 2004 – Orlando, Florida**

The University of Florida and the National Science Foundation are sponsoring this conference to bring together experts in the field of preservative treated wood who will share research results and develop a research agenda for future studies. Conference topics include critical issues associated with preservative treated wood, and new technologies for managing discarded treated wood. For more information or to register, call (352) 392-1701, or link: <http://fices.org>.

INTRODUCTORY HEALTH RISK COMMUNICATION WORKSHOPS**24-26 February 2004 – Seattle, Washington****27-29 April 2004 – Honolulu, Hawaii**

The Army Center for Health Promotion and Preventative Medicine is presenting these workshops to instruct participants how to identify, build, maintain, and utilize strategic partnerships and plans to support an organization's mission. The workshop will provide a basic understanding of the concepts, principles, and process of effective risk communication. Topics include: History and Philosophy of Risk Communication, Steps of the Risk Communication Process, Importance of Identifying, Understanding, and Collaborating with Key Stakeholders, Pitfalls to Effective Risk Communication, and Basic Tools for Engaging the Media. For more information or to register, call (410) 436-3515, or link <http://chppm-www.apgea.army.mil/risk>.

HISTORIC PRESERVATION LAW AND SECTION 106 COMPLIANCE**24-26 February 2004 – Jacksonville, Florida****20-22 April 2004 – San Antonio, Texas****20-22 July 2004 – Annapolis, Maryland**

This course emphasizes legal compliance with the National Historic Preservation Act Section 106 process using actual case studies. It addresses legislation and the process to meet the requirements of the law. Course content includes: the stewardship role; use of historic properties; and communications with related oversight agencies. For more information or to register, link: <https://www.cecos.navy.mil>.

NATURAL RESOURCES COMPLIANCE**24-27 February 2004 – San Antonio, Texas****22-25 June 2004 – Aberdeen, Maryland**

This course offers instruction in specific natural resources laws, regulations, policies, Executive Orders, DoD instructions, and other guidance, noting Service-specific requirements. It addresses stewardship, preservation and process; fish, game and wildlife management laws; protection of wetlands, waterways and other protected ecological areas; forest and land use management laws; and inter-service cooperation. This is an Inter-service Environmental Education Review Board (ISEERB approved) course. For more information or to register, link: <https://www.cecos.navy.mil>.

2ND ANNUAL ARMY ENVIRONMENTAL TRAINING SYMPOSIUM**1-5 March 2004 – Kansas City, Missouri**

The Army Engineer School is hosting this symposium to provide environmental training to installation (Active Army, National Guard, and Army Reserve) environmental personnel and installation stakeholders. Training topics include 1) satellite accumulation point operator; 2) hazardous materials handler; 3) HAZWOPER 8-hour refresher; 4) pollution prevention; and 5) spill prevention and response. For more information, call (573) 563-4124.

INTRODUCTION TO CULTURAL RESOURCE MANAGEMENT LAWS AND REGULATIONS**16-18 March 2004 – New Orleans, Louisiana****17-19 August 2004 – Bangor, Maine**

This course provides an integrated overview of all pertinent laws and regulations needed to understand and fulfill cultural resource management responsibilities. The curriculum is designed around a series of inter-related case studies discussed during the course. The course is taught in conjunction with the Advisory Council on Historic Preservation and is approved by the Inter-service Environmental Education Review Board (ISEERB). For more information or to register, link: <https://www.cecos.navy.mil>.

30TH ENVIRONMENTAL AND ENERGY SYMPOSIUM**5-8 April 2004 – San Diego, California**

The National Defense Industrial Association is presenting this symposium to provide a national forum for the exchange of technical information, government policy, regulations, programs, and law; and new ideas on environmental and energy issues, performance tracking, and areas of concern. The theme of the symposium is: "DoD Transformation Leading Towards Results-Based Environmental and Energy Programs." This event is intended for industry leaders, practitioners, environmental and energy officials, operators, and other personnel within government agencies. For more information, contact Naomi Mundy at (703) 247-9476, Or link: <http://www.ndia.org>.

NATIONAL ENVIRONMENTAL ASSISTANCE SUMMIT**19- 22 April 2004 – Baltimore, Maryland**

EPA has announced the merger of the National Pollution Prevention Roundtable Spring Conference and the National Compliance Assistance Providers Forum. This summit, titled "One Environment/One Conference," will cover advances and innovations in environmental issues and solutions, pollution prevention, and compliance assistance programs, methods, technologies and environmental policies. For more information, call (202) 299-9701, or link: <http://www.p2.org/summit2004/>.

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STATE REGULATORY DEVELOPMENTS, LEGISLATION, AND NEWS



ALASKA

AIR INFORMATION:

FINAL REGULATION – AIR PERMIT FEES – The Alaska Department of Environmental Conservation (DEC) has adopted amendments to its air permit fee regulations. The amendments: (1) increase the air operating permit fee for stationary sources from \$5.07 per ton to \$12.52 per ton; and (2) require stationary sources to account for emissions from equipment that temporarily replace or substitute for permanently installed equipment at a stationary source in the emissions projections. The amendments were effective 16 October 2003. For more information, contact Donald Bodron at (907) 465-5121, or link: <http://www.state.ak.us/dec/50feever1.pdf>.

FINAL PERMITS – GENERAL PERMITS FOR ROCK CRUSHERS, SOIL REMEDIATION UNITS, AND ASPHALT PLANTS – The Alaska DEC has renewed, with amendments, the following general air permits: (1) Subpart OOO crushers; (2) soil remediation units; and (3) asphalt plants. The permits were effective 12 September 2003. For more information, contact Donald Bodron at (907) 465-5121, or link: <http://www.state.ak.us/dec/dawq/aqm/gp349tbl.htm>.

PROPOSED REGULATION – AIR QUALITY PROGRAM - The Alaska DEC has proposed amendments to its regulations for Air Quality Control and Fuel Requirements for Motor Vehicles. The amendments redesignate Anchorage as a clean air area with respect to carbon monoxide air pollution. They include: (1) an updated emissions inventory; (2) emission control strategies; and (3) a mobile source emissions budget. The amendments to the fuel requirements for motor vehicles modify the procedure to reestablish use of oxygenated fuels (ethanol) if the carbon monoxide standard is violated in the future. Comments are due by 17 November 2003. For more information, contact Barbara Shepard at (907) 465-5176.

WATER INFORMATION:

PROPOSED REGULATION – ADOPTION OF FEDERAL STANDARDS – The Alaska DEC has proposed to adopt by reference federal regulations for the lead and copper rule. The rule is also being rewritten for clarity to (1) streamline requirements, (2) promote consistent implementation, and (3) help reduce the burden for water systems. Comments are due by 19 November 2003. For more information, contact Karen Leis at (907) 269-3082.

DEPARTMENTAL DISCUSSION – ASSUMPTION OF NPDES PROGRAM – The Alaska DEC may assume the NPDES water discharge permitting program from EPA. DEC will hold stakeholder meetings in late 2003 and will deliver a report to the legislature on 12 January 2004. For more information, contact Sharon Morgan at (907) 465-5530.

Legislative Developments:

The 2003 legislative session began 21 January and ended 21 May. A summary of significant environmental legislation that was enacted and signed was included in the July Review. For more information on the legislative session, link <http://www.legis.state.ak.us/>.



IDAHO

Regulatory Developments & Other State Information

NOTICE OF AVAILABILITY – CONSERVATION AGREEMENT FOR SLICKSPOT PEPPERGRASS –

On 30 October 2003 (68 FR 61821), the U.S. Fish and Wildlife Service requested public comment on "Candidate Conservation Agreement for the Slickspot Peppergrass (*Lepidium papilliferum*)" (CCA), a document authored by representatives from the Idaho Governor's Office of Species Conservation, the Idaho Department of Agriculture, the Idaho Department of Fish and Game, the Idaho Department of Lands, the Idaho Army National Guard, the Bureau of Land Management (BLM), and several private property owners who hold grazing permits on BLM-managed and maintained lands, collectively referred to as Cooperating Parties. The CCA commits the Cooperating Parties to implementing conservation measures to prevent and minimize threats to *L. papilliferum*. FWS is also seeking public comment on a document compiled by FWS, "Best Available Information on *Lepidium papilliferum*." Comments must be received by 14 November 2003. For further information, contact Jeff Foss, FWS at (208) 378-5243.

AIR INFORMATION:

FINA RULE – APPROVAL OF BOISE PM₁₀ MAINTENANCE PLAN AND REDESIGNATION TO

ATTAINMENT – On 27 October 2003 (68 FR 61106), EPA approved a PM₁₀ State Implementation Plan maintenance plan for the Ada County/Boise Idaho area and redesignated the area from nonattainment to attainment. PM₁₀ air pollution is suspended particulate matter with a diameter less than or equal to a nominal ten micrometers. EPA's approval and redesignation are effective 26 November 2003. For further information, contact Donna Deneen, EPA at (206) 553-6706.

Legislative Developments

The 2003 legislative session began 6 January and ended 3 May. A summary of the significant environmental bills that were enacted and signed was included in the June Review. For more information on the 2003 session, link <http://www2.state.id.us/legislat/>.



OREGON

Regulatory Developments & Other State Information

FINAL REGULATION – LEAD PAINT REMOVAL AND STABILIZATION – The Oregon Department of Human Services has amended its lead paint removal and stabilization rules. The amendments: (1) limit certification to legally registered firms; (2) expand the scope of the rules to apply to paint removal and stabilization; (3) incorporate EPA language describing lead-based paint work that can be done by a property owner; (4) adopt EPA's Identification of Dangerous Levels of Lead; (5) require that individuals removing or stabilizing paint on target housing and child occupied facilities obtain a permit; (6) establish procedures to obtain a permit; and (7) specify work practices. The amendments were effective 20 June 2003. For more information, contact Jana Fussell at (503) 731-4320.

AIR INFORMATION:

DIRECT FINAL RULE – APPROVAL OF KLAMATH FALLS PM10 MAINTENANCE PLAN AND ATTAINMENT DESIGNATION – On 21 October 2003 (68 FR 60036), EPA took direct final action to approve the PM10 maintenance plan for the Klamath Falls nonattainment area and to redesignate the area to attainment for PM10. This direct final rule will be effective 22 December 2003, unless EPA receives adverse comments by 20 November 2003. If relevant adverse comments are received, EPA will publish a timely withdrawal of the direct final rule in the Federal Register informing the public that the rule will not take effect. For further information, contact Steven Body, EPA at (206) 553-0782.

DIRECT FINAL RULE – APPROVAL OF GRANTS PASS PM10 MAINTENANCE PLAN AND ATTAINMENT DESIGNATION – On 27 October 2003 (68 FR 61111), EPA took direct final action to approve the PM10 maintenance plan for the Grants Pass nonattainment area and to redesignate the area to attainment for PM10. This direct final rule will be effective 26 December 2003, unless EPA receives adverse comments by 26 November 2003. For further information, contact Steven Body, EPA at (206) 553-0782, or e-mail: body.steve@epa.gov.

WATER INFORMATION:

PROPOSED RULE – WATER QUALITY STANDARDS – On 10 October 2003 (68 FR 58757), EPA proposed use designations and temperature criteria for the protection of salmonids in Oregon waters, except in the Columbia River. In addition, EPA proposed methods to implement Oregon's existing antidegradation policy. For further information, contact Mary Lou Soscia, EPA at (503) 326-3250.

FINAL REGULATION – ADOPTION OF FEDERAL SAFE DRINKING WATER STANDARDS – The Oregon Department of Human Services has adopted EPA's Long Term 1 Enhanced Surface Water Treatment Rules. The rules were effective 15 August 2003. For more information, contact David Leland at (503) 731-4010, ext. 757.

Legislative Developments

The 2003 legislative session began 13 January. The Senate adjourned 26 August and the House adjourned 27 August. A summary of the significant environmental bill that were enacted and signed was included in the October Review. For more information on the legislative session, link <http://www.leg.state.or.us>.

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AIR INFORMATION:

FINAL REGULATION – OLYMPIC AIR PERMIT UPDATES – The Olympic Regional Clean Air Agency has adopted amendments to its air permitting requirements. The updates: (1) change definitions to make them consistent with State and federal definitions; (2) clarify that ambient air quality data and emissions data can not be considered as confidential; (3) clarify when orders become final and how they can be appealed; (4) clarify the Agency's registration program and align it with the State program; (5) exclude notice of construction fees paid by major sources from being accounted for in the Agency's Title V program; (6) align the Agency's New Source program with State requirements; and (7) update the air permit application process. The amendments were effective 6 October 2003. For more information, contact Mark Goodin at (360) 586-1044, or link: <http://slc.leg.wa.gov/wsr/2003/19/03-19-025.htm>.

FINAL REGULATION – PUGET SOUND CIVIL PENALTIES - The Puget Sound Clean Air Agency has adopted amendments to adjust the maximum Washington Clean Air Act civil penalty for inflation (from \$13,977.00 to \$14,243.00). The amendments were effective 1 November 2003. For more information, contact Dennis McLerran at (206) 689-4010, or link: <http://slc.leg.wa.gov/wsr/2003/20/03-20-085.htm>.

FINAL REGULATION – SOUTHWEST AIR EMISSION TESTING AND MONITORING DEFINITIONS – The Southwest Clean Air Agency has adopted amendments to provide definitions for commonly used words or phrases in the air emission testing and monitoring regulations. The amendments will be effective 9 November 2003. For more information, contact Wess Safford at (360) 574-3058, ext. 26, or link: <http://slc.leg.wa.gov/wsr/2003/15/03-15-098.htm>.

Legislative Developments

The 2003 legislative session began 14 January and ended 27 April. A summary of significant environmental bills that were enacted and signed was included in the June Review. For more information on the legislative session, link <http://www.leg.wa.gov/wsladm>.

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